

MANUAL OF POLICY AND PROCEDURES

VOLUME 5 - CHAPTER 9

MISCELLANEOUS LINE PROCEDURES

5-09/550.00 AUTOMATED LICENSE PLATE RECOGNITION (ALPR)

This policy will establish procedural guidelines and responsibilities of personnel and units utilizing the Automated License Plate Recognition (ALPR) System. As with any technical system, adherence to standards and procedures is a key element to the success of the system. For additional information regarding how the Department shares and receives information, quality assurance, collation and analysis of data, merging records, sharing and disclosure, security safeguards, information retention and destruction, accountability, and enforcement and training, please refer to the Department's ALPR Privacy Policy.

5-09/550.10 GENERAL ADMINISTRATION

The Advanced Surveillance and Protection Unit (ASAP) is responsible for the following:

- Receiving reports of Automated License Plate Recognition (ALPR) defects, damage and/or other matters requiring maintenance of the Department's ALPR systems.
- Maintenance of data, including safeguarding and backing up of ALPR data, specific requests for searches, and for maintenance of internal hot lists.
- Inventory of ALPRs within the Department and for ensuring that the Department has included all ALPR equipment in fixed assets and tagged as County assets.
- Conducting an annual review of the policy and procedures contained herein, and for making recommendations to the Sheriff for any necessary amendments thereto.

Unit commanders are responsible for identifying unit staff authorized to capture, access, or use ALPR data. Unit commanders are further responsible for ensuring that authorized staff are appropriately trained and that all policies relative to ALPRs are followed.

5-09/550.20 RULES APPLICABLE TO ALL CAPTURE, ACCESS, AND USE OF ALPRS DATA

Automated License Plate Recognition (ALPR) data shall only be used for legitimate authorized purposes related to law enforcement, criminal justice, and public safety functions of the Department.

ALPRs shall only be used by members who have been trained in the use of the ALPR.

ALPR data shall only be accessed for appropriate, job-related functions. Data shall not be used for any non-work-related purpose, and all users shall take into consideration the privacy, civil rights, and civil liberties of individuals.

ALPR data shall only be accessed by Department personnel who have been authorized to access the data by their unit commander.

ALPR data, whether fixed, mobile, or portable, will be uploaded to the Department's physical and/or hosted ALPR servers and will be managed by the Advanced Surveillance and Protection Unit (ASAP).

If there is enforcement action, an investigation and/or prosecution that results from ALPR data, the ASAP unit shall be notified so that the original information can be preserved and a copy can be kept and held by the investigator.

5-09/550.30 FIELD PROTOCOLS - PATROL

Automated License Plate Recognition (ALPR) is useful in general patrol assignments when the patrol vehicle is in a position to monitor vehicular traffic.

ALPR-equipped vehicles should be deployed regularly. When not in use, ALPR-equipped vehicles shall be secured.

Personnel shall perform an upload of hotlist data prior to the deployment of an ALPR system to prevent potential traffic stops using outdated hotlist information.

When the ALPR system indicates a hit, prior to making the traffic stop and when safe to do so, personnel shall:

- Verify that the license plate information matches the license plate image of the vehicle.
- Confirm that the hit is still "active" by either running the license plate through the vehicle's Mobile Digital Computer (MDC) or via their radio to dispatch (if confirming via SCC, advise the request is for an ALPR hit on a vehicle).
- If a decision is made to initiate a "Code-9" due to an ALPR hit on a stolen vehicle and prior to receiving a secondary confirmation, the deputy shall advise SCC they are following a vehicle due to an ALPR stolen vehicle hit.

Proactive/manual entry of ALPR hotlist in the field is permitted for:

- Dispatched reports of crimes, "Be on the Look Outs" (BOLOs), Amber, Blue, Silver, or Yellow Alerts, or other law enforcement alerts in which a license plate number is part of the broadcast.

- When directed or authorized by the unit commander for a legitimate law enforcement purpose.
- Department members should query their ALPR system to ascertain if there is a prior read of the license plate which is the subject of the particular alert, bulletin, or alarm.

Proactive/manual entry of ALPR hotlist in the field is required for Amber Alerts, missing child, or critical missing persons. Additionally, Department members must query their ALPR system to ascertain if there is a prior scan or read of the license plate which is the subject of the alert.

ALPR may be used in special operations or details such as:

- High crime area patrols;
- Gang investigation/suppression;
- Driving under the influence initiatives;
- Enforcement details;
- Directed criminal investigations;
- Other investigations subject to authorization from the investigating unit's unit commander.

When a violent crime occurs, the Department may solicit assistance from other law enforcement agencies with ALPR-equipped vehicles to assist in identifying potential vehicle license plates and/or to gather license plate data in a particular area. Similarly, other law enforcement agencies may request assistance from this Department in the event of the same. Any mutual aid request shall be directed through the station's operations staff. Consideration should be given to deploying ALPR strategically, such as at a perimeter, choke points, major highway, or other avenues of approach or escape.

Personnel shall log that they are using a mobile ALPR system in their Mobile Digital Computer (MDC) worksheet when logging on.

- Deputies shall ensure that logs and arrests associated with the ALPR system are complete and utilize the appropriate ALPR statistical code.
- If the deputy's log has an arrest associated with an ALPR hit, this information will be provided to the Advanced Surveillance and Protection Unit (ASAP) to retain the information for the case file.
- The deputy's log will be retained until all ALPR-related arrests have reached a final disposition.

When desk personnel receive a hit from a fixed ALPR system, which is the result of license plate data taken from a fixed camera, they shall confirm the current status of the vehicle via their CAD terminal or SCC. While waiting for confirmation, desk personnel shall advise field patrol units of the ALPR hit, the location, direction of travel, the vehicle description, request Aero Bureau, and coordinate responding field units.

5-09/550.40 AUDIT PROTOCOLS

An audit trail sufficient to allow the identification of each individual who accessed information shall be retained by the Department, including the information requested and the reason for the access.

Requests to review stored ALPR data shall be recorded and maintained with a sufficient audit trail.

All inquiries of ALPR data will be automatically recorded in the audit trails and maintained by the Department.

ALPR audit trails shall be retained for a minimum of two years or until any associated case is adjudicated.

5-09/550.50 DATA

Department personnel may request (with the concurrence of their unit commander) that the Advanced Surveillance and Protection Unit (ASAP) enter a specific vehicle license plate into the Department's hotlist. Examples of entries include:

- Gang members/associates;
- Sex offenders;
- Crime suspects;
- Fugitives;
- Search warrant targets.

Members making inquiries into the Automated License Plate Recognition (ALPR) database must enter all information requested fully and completely in order to accurately track and manage each query into the system.

If the ALPR data query log contains a hit and an arrest is associated with the hit, the deputy or investigator shall retain a copy of this hit as part of the case file and notify ASAP.

ALPR data query logs shall be maintained and secured for future audits for a minimum of two years or until any associated case is adjudicated.

Personnel conducting a query on behalf of an authorized requestor shall log each query as such.

ALPR data shall be uploaded on specified incremental time frames as designated by ASAP to keep each hotlist up to date in the ALPR server. ALPR data transferred from all mobile, portable, and fixed ALPR cameras will be managed by ASAP.

All ALPR data shall be reviewed for record retention (validation or purge) at five years, and when information has no further value or meets the criteria for removal by applicable law, it shall be purged or permanently deleted except in cases such as:

- ALPR records related to a prosecution will be maintained until a final disposition has been reached in the case.
- ALPR records associated with a criminal investigation can be maintained in the criminal case file and retained for the maximum period of time associated with such records.
- Whenever otherwise directed by an executive of the Department for a particular case or internal investigation.

Stored data shall only be shared pursuant to an executed inter-agency agreement.

The Department does not maintain copies of shared data from outside agencies. Such data is maintained by those agencies subject to their own retention policies.

03/15/17 MPP